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October 24, 2014

## VIA ECF

The Honorable James C. Francis  
United States Magistrate Judge  
United States District Court for the  
Southern District of New York  
The Daniel Patrick Moynihan Federal Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Blagman v. Apple Inc. et al.*, 12 Civ. 5453(ALC)(JCF)

Dear Judge Francis:

My firm represents defendants Amazon.com, Inc., Microsoft Corporation, eMusic.com, Inc., The Orchard Enterprises, Inc. and Orchard Enterprises NY, Inc. in this matter. I write on behalf of counsel for all the parties in the case.

Last week, in connection with a discovery dispute, the parties indicated that they would be submitting further disputes to the Court by October 24th. The parties have agreed to continue to meet and confer in an effort to narrow or eliminate as many of these disputes as possible. We envision updating the Court regarding the status and schedule for briefing any remaining disputes within two weeks (by November 7th). In addition, the parties will be submitting a proposed new case calendar on or before November 7th for the Court's consideration.

Respectfully submitted,

/s/ Kenneth L. Steinthal  
Kenneth L. Steinthal

cc: All Counsel